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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,055	08/08/2001	Kenji Morita	041465-5115	6163

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EXAMINER

NATNAEL, PAULOS M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/924,055

Applicant(s)

MORITA ET AL.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-9** are again rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuki, U.S. Patent No. 5,847,685.

Considering claim **1**, a display control apparatus comprising:

a) an opening device for placing a display device received in a receiving device in an active state thereof, is met by the opening or groove where the screen TV monitor 33 is raised to from its horizontal position, fig. 14

b) a detection device for detecting whether or not the display device is placed in the active state, is met by the disclosure that "the rising angle of the TV monitor 33 can be detected by, for example, attaching a photosensor (sensor member) 55 to the movable bracket 22 as shown in Figs. 9 or 11..." (see col. 11, lines 35-38)

except for;

c) an output device for, when it is detected that the display device has been placed in the active state, outputting a video signal to be displayed on the display device to the

Art Unit: 2614

display device so that the display to device starts to display video based on the video signal.

Regarding c), Otsuki discloses "a controller (not shown) for determining to which one of the reflecting members 53 the photosensor is facing. Accordingly, by outputting a control signal to stop operation of the motor 49 from the controller based on the input signal from the photosensor 5, the TV monitor 33 can be automatically set to any desired rising angle." (col. 12, lines 47-51) Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Otsuki by providing the controller to control the photosensor by outputting a control signal for outputting the video image to the display screen only when the monitor 33 is fully raised or extended to its viewing position, so that the viewer would not miss the start of the video image because the display screen is not fully raised to its viewing position.

Considering claim 2, see rejection of claim 1;

Considering claim 3, the display control apparatus of claim 1 or 2, wherein the active state is a state at which the display device is placed so that the video displayed on the display device is visible, is met by the raised position of the monitor 33, fig. 14;

Considering claim 4, a display control method comprising the steps of: placing a display device received in a receiving device in an active state thereof; detecting whether or not the display device is placed in the active state; and outputting, when it is detected that

the display device has been placed in the active state, a video signal to be displayed on the display device to the display device so that the display device starts to display video based on the video signal.

Claim 4 is a method claim of claim 1 and as such claim 4 is rejected for the same reasons as in claim 1.

Considering claim 5, a display control method comprising the steps of: detecting whether or not display of all video has been completed by display device under an active state; and controllably receiving the display device in a receiving device so as to be placed in an inactive state from the active state, when it is detected that the display of all video has been completed.

Claim 5 is a method claim of claim 2 and as such claim 5 is rejected for the same reasons as in claim 2.

Considering claim 6, the display control method of claim 4 or 5, wherein the active state is a state at which the display device is placed so that the video displayed on the display device is visible;

See rejection of claim 3;

Considering claim 7,

a) an opening device for placing a display device received in a receiving device in an active state;

Art Unit: 2614

- b) a detection device for detecting whether or not the display device is placed in the active state; and
- c) an output device for, when it is detected that the display device has been placed in the active state, outputting a video signal to be displayed on the display device to the display device so that the display device starts to display video based on the video signal.

Regarding claim 7, see rejection of claim 1.

Considering claim 8, a detection device for detecting whether or not display of all video has been completed by a display device to display the video under an active state; and a receiving control device for controllably receiving the display device in a receiving device so as to be placed in an inactive state from the active state, when it is detected that the display of all video has been completed.

Regarding claim 8, see rejection of claim 2.

As for claim 9, see rejection of claim 3;

Response to Arguments

3. Applicant's arguments filed 4/26/05 have been fully considered but they are not persuasive. Applicant argues that:

As conceded to by the Office Action, Otsuki includes no disclosure of outputting a video signal depending on the detection of the raised position of the TV monitor. As discussed in detail in the previous response filed by Applicants on September 9, 2004, embodiments of the invention discussed in the instant application involve a display panel that is retracted within a dash board when not displaying a video program and that is placed in a video-visible position from the dashboard only when displaying a video program. The Background portion of the instant application discusses certain problems in conventional in-dash monitor" arrangements. For example, in conventional arrangements, displaying of video on the display panel commences simultaneously with the commencement of the active state. As a result, the user will not see the entire program because the program commences a few seconds before the display panel is in its fully extended (unfolded) state for the user to view it. Moreover, in conventional in-dash monitor" arrangements, the display panel retracts back within the dash board when the ignition key is turned off. As a result, even when the video program is completed, the display panel continues to be in its extended, active, position. As a result, the display panel remains exposed and susceptible to possible damage from heat and sun, or other environmental effects.

The embodiments associated with the instant invention are able to solve the first of these problems of the conventional arrangements by prohibiting the video output signal Sav from being output to the display panel until the display panel is fully extended to a state in which it is viewable by the user. In this way,

Art Unit: 2614

the user will not miss any portion of the beginning of the video program. See, for example, step S18 in Fig. 5, page 15, lines 29-34, page 3, lines 1-4, and page 4, lines 8-12. The embodiments associated with the instant invention are able to solve the second of these problems of the conventional arrangements by retracting the display panel within the dashboard once the video program is completed. This enhances the protection of the display panel from environmental effects and also allows the display panel to be retracted back into its inactive state without the need for any user interaction. See, for example, step S1 in Fig. 4; page 16, lines 1-4, and page 4, lines 18-22. [emphasis added by examiner]

First of all, the examiner submits that retracting a display within a dashboard is well known in the art; secondly, it is not recited in the claims. The applicant is arguing something that is not found in the claims. See the underlined passages. More importantly, the claims do not recite what the applicant is suggesting as a solution to the prior art in the background discussion and, therefore, the claims have been interpreted in reasonably broad terms. That is, as shown in the rejection, Otsuki teaches "a controller (not shown) for determining to which one of the reflecting members 53 the photosensor is facing. Accordingly, by outputting a control signal to stop operation of the motor 49 from the controller based on the input signal from the photosensor 5, the TV monitor 33 can be automatically set to any desired rising angle." (col. 12, lines 47-51) Since Otsuki teaches using a control signal to stop (and obviously re-start) operation of the motor 49, it would have been therefore obvious to the skilled in the art at the time

the invention was made to modify the system of Otsuki by providing a method of controlling the photosensor to output a control signal for outputting the video or image to the display only when the monitor 33 is fully raised in its viewing position, in order to minimize the viewer from missing the start or end of the video image.

This, as alleged by the applicant, is not a matter of a hindsight reconstruction by the examiner. Rather, it is based on the suggestion taught by Otsuki for manipulating the operation of the display device by sending a control signal depending on the output signal of the photosensor. This would have been obvious to the skilled in the art. Thus, examiner submits the claims as claimed are not allowable, and this action is made final.

Conclusion


4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614

July 15, 2005